

**APPENDIX: Copy of Claims in Serial No. 09/202,549 after the entry of the Amendment filed on April 15, 2002 in response to the Office Action of January 15, 2002**

1. (Amended) An isolated DNA construct comprising at least one mutated binding site for a growth factor independence-1 (Gfi-1) transcription repressor, said mutated binding site comprising a mutation which hinders or prevents binding of said Gfi-1 repressor to said site.
2. The DNA construct of claim 1, which is a promoter.
3. The DNA construct of claim 2, wherein said promoter is a mammalian cellular promoter.
4. The DNA construct of claim 2, wherein said promoter is a viral promoter.
5. The DNA construct of claim 4, wherein said promoter is a human cytomegalovirus promoter.
6. The DNA construct of claim 5, which is a cytomegalovirus MIE promoter.
7. (Amended) The DNA construct of claim 1, wherein said Gfi-1 binding site prior to said mutation is greater than 65% homologous with a sequence consisting of TAAATCACNGCA (Sequence I.D. No. 2), wherein N is A or T.
8. (Amended) The DNA construct of claim 1, wherein said Gfi-1 binding site prior to said mutation is greater than 79% homologous with a sequence consisting of TAAATCACNGCA (Sequence I.D. No. 2), wherein N is A or T.
9. The DNA construct of claim 1, wherein said Gfi-1 binding site prior to said mutation comprises the sequence N<sub>1</sub>AAATCACN<sub>2</sub>GCA (Sequence I.D. No. 1), wherein N<sub>1</sub> and

N<sub>2</sub> are any nucleotide, and said mutation is in a portion of said binding site comprising the sequence AATC.

10. The DNA construct of claim 1, wherein said binding site resides within an expression regulatory segment and said regulatory segment is operatively linked to a coding segment.

11. The DNA construct of claim 10, wherein the coding segment encodes a gene product selected from the group consisting of cytokines, interleukins, interferons, growth factors and proto-oncogenes.

21. An isolated DNA molecule comprising a sequence selected from the group consisting of Sequence I.D. No. 13 and Sequence I.D. No. 14.

22. An expression vector comprising the DNA molecule of claim 21.

23. A method for improving expression of genes regulated by expression regulatory sequences which contain binding sites for a Gfi-1 transcription repressor, which comprises altering the sequence of said binding sites so as to hinder or prevent binding of said Gfi-1 transcription repressor to said binding sites, thereby improving said gene expression.

24. The method of claim 23, wherein said binding sites are altered at a tetranucleotide sequence contained therein, which is AATC.